Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
04/25/2014	Internal Affairs Bureau	[ ]	[x]

Incident Information

URN: 014-05481-0250-013	Date: 04/25/14	Time: 2306 hours

City or Station: East Los Angeles Station

Location: [redacted]56th Street, Maywood, Unit [redacted]

Nature of Incident: Suspect Cruz was shot by Deputies Alatorre and [redacted] after he threw an object they believed to be a knife at them and attempted to attack them with another object they thought to be a knife.

Location Type (check one or more):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [x] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other:

Lighting (check only one):
- [ ] Darkness
- [ ] Daylight
- [x] Other
- [ ] Street Lights

Weather (circle only one):
- [ ] Clear
- [x] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 5-10 feet

Incident Type (check one or more):
- [ ] Accidental
- [x] Armed Person
- [ ] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other: Inebriated/Suicidal

Initiated by (check only one):
- [ ] Arrest Warrant
- [x] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (check only one):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Total # of Shots Fired by Deputy: 3 and 4

Total # of Shots Fired by Suspect: 0

Aero Unit? [ ] Canine Unit? [ ]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Lugo	Michael	D.	[x] EM [ ] PM [ ] Day	[ ] Regular [x] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Bojorquez	Richard	A.	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting
				[ ] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Cardella	Paul	NMN

PSTD Use Only

SH # 2354798

See Reverse

Officer Involved Shooting

URN: 014-05481-0250-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04/26/14	0100 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Parker	Brenda	NMN
[redacted]	Adams	John	D.
[redacted]	Valencia	Dominic	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E# 1	OE					NN	
S#1	E# 2	OE					NN	
E# 1	S#1	FH	BR	9	N	Y	DH	CH
E#1	S#1	FH	BR	9	N	Y	DH	CH
E#1	S#1	FH	BR	9	N	Y	DH	AD
E#2	S#1	FH	BR	9	N	Y	DH	CH
E#2	S#1	FH	BR	9	N	Y	DH	CH
E#2	S#1	FH	BR	9	N	Y	DH	CH
E#2	S#1	FH	BR	9	N	Y	DH	AD

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 014-05481-0250-013

Involved Employee

E 1

Employee # [redacted] | Last Name: Alatorre | First Name: Andrew | M.I.: H.

Sex: M | Race: H | Rank: Deputy | Unit Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): 28

ShiftTime (*circle only one*): [x] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [x]

Hrs of sleep prior to shooting: 6 | Duty Time (hrs): 8 | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 511 | Weight: 150

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date:

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Beretta | Caliber: 9mm | # Shots: 3 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E 2

Employee # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Sex: [redacted] | Race: [redacted] | Rank: Deputy Sheriff | Unit Assignment: [redacted] | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): [x] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [x]

Hrs of sleep prior to shooting: 8 | Duty Time (hrs): 8 | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: [redacted] | Weight: [redacted]

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Beretta | Caliber: 9mm | # Shots: 4 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [ ]

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [ ] Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? [ ] | Patrol Certification? [ ] | Certification Unit: | Prior Shootings? [ ] | Number of Prior Shootings: | Directed Force: [ ]

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

Officer Involved Shooting Suspect Information

Suspect Information

S 1

Last Name: Palencia-Cruz		First Name: Salvador	M.I. M.
AKA Last Name:		First Name:	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 42 D.O.B. 11/09/1971	Height: 509 Weight: 200	FBI # [redacted]	CII # [redacted]
Booking # Deceased	Primary Charge: Attempt Murder, 664/187(a) PC	Secondary Charge: Assault with a Deadly Weapon, 245(c) PC	
Coroner Case? ☑	Coroner Case # 2014-02942	Intoxication/Drug Usage? ☑	Substance Used: Alcohol
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: N/A		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name:		First Name:	M.I.
AKA Last Name:		First Name:	M.I.
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-duty hit shooting, suspect deceased**

IAB FILE NUMBER: **SH 2354798**

URN#: **014-05481-0250-013**

DATE/TIME: **April 25, 2014, 2306 hours**

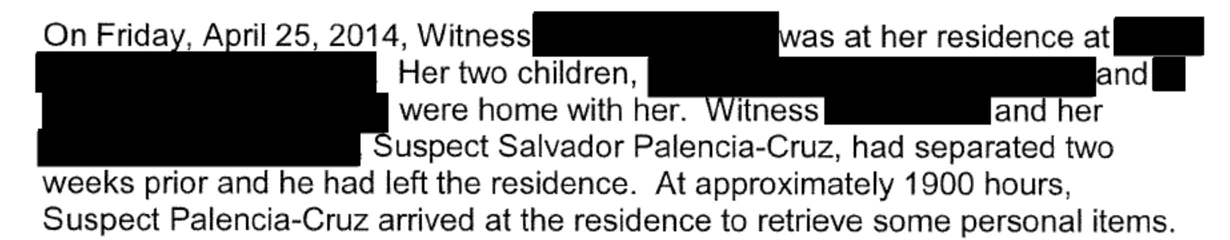
LOCATION: [redacted] **56th Street, Maywood**

SYNOPSIS

On Friday, April 25, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Dominic Valencia, and Sergeants Brenda Parker and John Adams responded to East Los Angeles Station regarding an on-duty hit shooting. The shooting resulted in the death of Suspect Salvador Martin Palencia-Cruz. On July 15, 2014, the case was reassigned to IAB Sergeant Brian Godwin.

Detectives Michael Valento and John Duncan from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the Homicide case book, under URN #014-05481-0250-013 **[Exhibit A]**.

IAB Lieutenant Dominic Valencia checked to ensure the Watch Commander, Sergeant Paul Cardella, took reasonable steps to ensure the involved parties and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. In addition, Lieutenant Valencia also ensured Sergeant Cardella knew the aforementioned parties should not collectively consult with their attorney or representative and checked to see if Sergeant Cardella attempted to have the involved parties and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.



On Friday, April 25, 2014, Witness [redacted] was at her residence at [redacted]. Her two children, [redacted] and [redacted] were home with her. Witness [redacted] and her [redacted] Suspect Salvador Palencia-Cruz, had separated two weeks prior and he had left the residence. At approximately 1900 hours, Suspect Palencia-Cruz arrived at the residence to retrieve some personal items.

Witness [redacted] noticed had been drinking alcohol, because she could smell it on his person. Suspect Palencia-Cruz brought a full bottle of white wine to the location and drank three quarters of it while he was at the residence.

IAB Note: A three quarters empty bottle of vodka was located in the kitchen of the residence [EXHIBIT B].

Suspect Palencia-Cruz argued with Witness [redacted] At approximately, 2130 hours, [redacted] Hernandez told Suspect Palencia-Cruz to leave the residence, but he refused.

Suspect Palencia-Cruz sat down at the kitchen table, held a kitchen knife to his stomach and said he was going to kill himself. Witness [redacted] asked the suspect to give her the knife and he complied. Witness [redacted] put the knife in a potted plant outside the front door, but Suspect Palencia-Cruz grabbed another knife from the kitchen area. Suspect Palencia-Cruz placed the knife on the kitchen floor with the point facing up, knelt next to the knife, and told Witness [redacted] he was going to lay on it. He told Witness [redacted] he was going to "make it look like a movie" and she would never see him again. Suspect Palencia-Cruz told Witness [redacted] to call the police if she wanted to.

Witness [redacted] called 911 at approximately 2304 hours **[EXHIBIT C]**. She reported [redacted] was holding a knife and would not leave the location. She further stated he was holding the knife to his stomach, was drunk, and wanted to hurt himself. Witness [redacted] added that her two children, were at the location. As she was on the telephone with the dispatcher, she took the second knife away from Suspect Palencia-Cruz and put it in the same potted plant outside the front door **[EXHIBIT D]**. Suspect Palencia-Cruz said he was not afraid of the police.

At 2306 hours, a 902A, "attempt suicide," emergency radio call was dispatched to East Los Angeles patrol units **[EXHIBIT E]**. Unit 28, Deputy Andrew Alatorre, with the handle on the call, acknowledged the radio call with a response time of one minute. Deputy Michael Lugo, a custody deputy assigned to the Inmate Reception Center (IRC), was on a ride-along with Deputy Alatorre. Unit [redacted] Deputy [redacted] the assisting unit, also acknowledged the radio call with a response time of one minute. Deputy Alatorre told Deputy [redacted] to meet him one house to the east of the location and announced he would be deploying a Taser.

At 2308 hours, Deputy Alatorre announced, via radio, that he and his assisting unit had arrived at the address of the radio call. They had arrived almost simultaneously. Witness [redacted] told the East Los Angeles Station dispatcher the suspect was armed with two knives. The dispatcher passed this information on to Deputy Alatorre via L-Tac. Deputy Alatorre asked the

dispatcher via L-Tac if the location was an apartment or a duplex, but the dispatcher was unable to get the information from Witness [redacted] **[EXHIBIT F]**.

Deputy Alatorre told Deputy Lugo to get the Taser out of the glovebox. He told Deputy [redacted] to remain on the main radio frequency while he would handle radio traffic on the L-Tac frequency. According to the deputies, as they were standing near the sidewalk in front of the location, they saw Witness [redacted] standing outside the door to her residence, approximately 30 to 40 yards away, down a driveway **[EXHIBIT G]**. She appeared to be flagging them down. The deputies attempted to talk to Witness [redacted] but she was talking on a telephone and walked back into the residence.

Deputy Alatorre walked to the door of the residence, followed by Deputy [redacted] with Deputy Lugo behind them. Leading up to the landing in front of the door were a few stairs surrounded on the north and east side by a metal railing **[EXHIBIT H]**. The door was wide open. Deputies Alatorre and [redacted] stood side by side, just outside the threshold of the open door, with their handguns drawn. Deputy Lugo stood to their left, on the stairs, as there was no room for him on the landing near the doorway. Deputies Alatorre and [redacted] saw Suspect Palencia-Cruz standing approximately 10 feet away from them, in the living room. Suspect Palencia-Cruz was agitated and breathing deeply. He held a knife or long object in his right hand, positioned down by his waist.

> **IAB Note: Deputy Alatorre described the object as a big kitchen knife. Deputy [redacted] described it as a "long object."**

Witness [redacted] stood very close behind the suspect and to the right, talking on a telephone to her older daughter, [redacted] who was at work.

Suspect Palencia-Cruz said, in Spanish, "You guys are scared" and he was "going to shove the knife up his ass" referring to Deputy Alatorre. According to Deputy Alatorre, Suspect Palencia-Cruz raised the knife or object above his head and made flailing or striking, upward and downward movements with it. Deputy Alatorre asked Deputy Lugo for the Taser. Deputy Lugo handed him the Taser. Deputy [redacted] spoke and understood Spanish, but Deputy Alatorre did not. Deputies [redacted] and Alatorre ordered Suspect Palencia-Cruz several times to drop the knife as they pointed their handguns at him. Deputy Alatorre handed the Taser back to Deputy Lugo.

Suspect Palencia-Cruz threw the knife or object at the deputies. The object flew between Deputy Alatorre and [redacted] heads, nearly striking Deputy [redacted] in the head, as he had to dodge the object by moving his head and body to the left to avoid it. The object flew past the deputies and landed on the ground, 15-20 feet behind them **[EXHIBIT I]**.

IAB Note: **Witness [redacted] said the object Suspect Palencia-Cruz held at the time was a metal spatula and he held it behind his back the entire time. She took the spatula away from the suspect, showed it to the deputies, and tossed it on the floor next to a television set. A spatula was noted at the scene on top of a television entertainment center [EXHIBIT J]. She said the suspect never threw anything at the deputies.**

Suspect Palencia-Cruz walked back toward the kitchen, as the deputies gave him commands to turn around, show his hands, and get down on the ground. The suspect, who understood English and Spanish, ignored the commands and continued walking into the kitchen.

At that point, Witness [redacted] was crouched down by a closed door on the west side of the living room, holding the door knob and still talking on the telephone **[EXHIBIT K]**. She screamed in Spanish, "There's kids in the house" and her daughter was in the room behind the door. Deputy [redacted] told Witness [redacted] to get out of the house and he would get the children. Witness [redacted] did not heed the command, but remained in the same position.

Deputy Alatorre told Deputy Lugo to summon a sergeant and to request additional deputies to assist. At 2312 hours, Deputy Lugo requested, via radio, a sergeant to respond to their location. Unit 21S, Sergeant Richard Bojorquez, announced he would arrive at the location in one minute. At this time, the SCC dispatcher asked Deputy Lugo if additional units were needed. Deputy Lugo asked for two additional units. Two additional units acknowledged the request. Immediately subsequent to their acknowledgment, Deputy Lugo requested the units respond Code 3.

Suspect Palencia-Cruz had entered the kitchen and grabbed a knife or metallic object from the kitchen sink area.

IAB Note: **Deputy Alatorre described the object as a long, thin bladed knife, approximately 11 to 12 inches long, with a white handle. Deputy [redacted] described a long, shiny object with an approximately 10 inch long blade. Witness [redacted] said it was a cake spatula, approximately a foot long and an inch and a half wide, with a black handle [EXHIBIT L].**

Suspect Palencia-Cruz held the object in his right hand, behind his back, as he turned around to face the deputies. Both deputies ordered the suspect to drop the item he was holding. Suspect Palencia-Cruz brought the object around to the

front of his body, holding it to his side, with the blade pointing toward the deputies, as he walked toward them at a rapid pace through the living room. As he rushed toward the deputies, Suspect Palencia-Cruz had an angry or determined expression on his face.

> **IAB Note: Witness [redacted] said Suspect Palencia-Cruz never moved toward the deputies.**

Both deputies feared Suspect Palencia-Cruz would attack or kill them. Deputy Alatorre said he could not retreat because the railing was behind him and Deputy [redacted] was standing directly to his left. He did not want to risk stumbling over Deputy [redacted] as they both had their handguns drawn and he did not want to risk accidentally discharging his firearm. They both fired their handguns approximately two or three times at the upper torso area of the suspect, as he approached within five to ten feet of them. Suspect Palencia-Cruz dropped the object from his right hand and fell over backwards. The suspect landed on his back with his left hand hidden from view behind a couch **[EXHIBIT M]**. Deputy Alatorre estimated the elapsed time between their arrival at the front door to the time of the shooting was approximately three minutes.

Deputies Alatorre and [redacted] stepped over the threshold of the door and entered the living room. Deputy [redacted] used his radio to announce there had been a deputy involved shooting at the location of the call and a male Hispanic, approximately 50 years old, was down. The SCC dispatcher announced she was requesting paramedics to respond to the location. Sergeant Bojorquez, whose response had been delayed because he had been in a restroom when the radio call was initially dispatched, announced he would be arriving at the location in seconds.

Upon Sergeant Bojorquez' arrival. Deputies [redacted] and Alatorre walked to the door where Witness [redacted] was standing. Deputy Lugo stood inside the doorway near a stairway leading upstairs from the left side of the entrance. Deputy [redacted] and Witness [redacted] entered the bedroom, picked up the daughter, and they exited the residence, while Deputy Alatorre held Suspect Palencia-Cruz at gunpoint, as he was breathing and moving around. Deputy Alatorre cleared the kitchen as Los Angeles County Fire paramedics arrived on scene at 2322 hours. They treated Suspect Palencia-Cruz, and pronounced him dead at 2330 hours.

Witness [redacted] told the deputies another child was upstairs in the residence. Deputy Lugo went upstairs with another deputy. They met a little boy upstairs and brought him downstairs and outside the residence. Deputy Lugo sat in the passenger seat of a radio car and then was transported to East Los Angeles Station by a Deputy Contreras. Deputies Alatorre and [redacted] were transported to the station by Sergeant John MacDonald. The three deputies awaited the arrival of Homicide detectives in the station briefing room.

This is a summary based on statements given during audio recorded interviews by the involved deputies and witnesses. Information gleaned from radio traffic and a recorded 911 call to ELA Station are also part of the summary. For complete and detailed statements, refer to digital audio recorded files, and verbatim transcripts, which are included in this investigation.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the fatal shooting of Salvador Palencia-Cruz by Deputies Alatorre and [redacted] In their letter of opinion **[Exhibit N]**, dated November 26, 2014, Deputy District Attorney Amy Pellman Pentz concluded Deputies Alatorre and [redacted] acted lawfully in self-defense and defense of others when they used deadly force.

INVOLVED EMPLOYEES AND WORK HISTORY

Andrew Alatorre, Deputy Sheriff, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History



Date of Employment: April 30, 2007
Date Assigned to Patrol/East Los Angeles Station: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray — Expandable Baton

[redacted] Deputy Sheriff, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History



Date of Employment: June 6, 2007
Date Assigned to Patrol/East Los Angeles Station: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray Expandable Baton
Taser

SUSPECT INFORMATION

Salvador Martin Palencia-Cruz
Male, Hispanic, DOB: November 9, 1971, 5'08", 170 pounds
[redacted] [redacted] [redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

> **IAB Note: A copy of Suspect Palencia-Cruz' criminal history is included in the Homicide Investigation Book [Exhibit A, pages 68-76].**

SUSPECT'S INJURIES

Suspect Palencia-Cruz sustained nine gunshot wounds from seven 9mm rounds; four to his chest, two to the abdomen, one to the right hip, one to the right thigh, and one to the left hand. **[Exhibit O]**.

DEPUTY PERSONNEL INJURIES

No deputies were injured during the incident.

PHYSICAL EVIDENCE

All physical evidence was located and collected by Homicide Detectives Kathleen Gallagher and Philip Guzman. They were assisted by Forensic Identification Specialist Sonya Villa and Crime Scene Investigator, Deputy Steve Woolum, from the Sheriff's Crime Lab. For descriptions of the evidence collected and where it was collected, see the Homicide Investigation Book **[Exhibit A, pages 29-34]**.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Detectives Gallagher and Guzman **[Exhibit A, page 31-34]**. Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by Deputy Woolum.

WEAPON USED BY DEPUTY ALATORRE

Deputy Alatorre fired three rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol, with attached "SureFire" flashlight and extended 17 round magazine. The firearm was examined by Senior Criminalist Marco Iezza of the Scientific Services Firearms Identification Section and found to be functional **[Exhibit A, page 54-55]**.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] fired four rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol, with attached "Streamlight" flashlight. The firearm was examined by Senior Criminalist Marco Iezza of the Scientific Services Firearms Identification Section and found to be functional **[Exhibit A, page 55]**.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

Seven expended 9mm casings were recovered at the scene **[Exhibit A, page 29-30]**. Six jacketed projectiles were recovered from the body of Suspect Palencia-Cruz **[Exhibit A, pages 78-83]**.

WEAPONS USED BY SUSPECT PALENCIA-CRUZ

Suspect Palencia-Cruz threw a 10 inch long stainless steel utensil handle at Deputies Alatorre and [redacted] **[Exhibit A, page 29]** and **[Exhibit I]**. He then armed himself with a stainless steel cake spatula, told the deputies it was a knife, and moved aggressively toward them **[Exhibit A, pages 30 and 31]** and **[Exhibit L]**.

PROPERTY DAMAGE BY SUSPECT PALENCIA-CRUZ

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Detectives Valento and Duncan of the Los Angeles County Sheriff Department's Homicide Bureau.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by numerous lights inside the residence. The weather was cloudy and cool, with intermittent rain.

WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEE DEPUTY ANDREW ALATORRE

On April 7, 2015, IAB Sergeants Brian Godwin and Chad Smeltzer interviewed Deputy Alatorre at the IAB office. Representing Deputy Alatorre was Attorney Maureen Okwuosa of the law firm of Green & Shinee. Following is a summary of the interview:

As Unit 28 at ELA Station, Deputy Alatorre was responsible for answering calls for service in the City of Maywood. When he arrived at the station on the night of April 25, 2014, he found he was assigned to work with Deputy Lugo, who was to be on a ride-along. Deputy Alatorre carried a Taser which had been issued to him previously. The Taser was in a black plastic X26 holster. He did not have space to carry the holster on his Sam Browne belt. Deputy Alatorre noted Deputy Lugo also did not have room on his Sam Browne belt for the Taser and at any rate he did not want to give it to Deputy Lugo, because it was not assigned to him. Deputy Alatorre decided to place the Taser in the glove box of his patrol vehicle.

Deputy Alatorre discussed some basic patrol-related scenarios with Deputy Lugo and went over some officer safety issues. Deputy Alatorre was the driver that night. He was assigned to handle an emergency radio call of an attempted suicide at [redacted] A man was holding a knife to his stomach and was inside his residence at the location. He had never been to the location, nor met any of the occupants of the residence prior to the radio call. Unit [redacted] Deputy [redacted] was assigned to assist him with the radio call.

During his patrol training, Deputy Alatorre and his training officer had handled several radio calls involving attempted suicides and they had assisted on several other calls of that nature. Deputy Alatorre drove Code 3 toward the location of the radio call. He coordinated the radio call on L-Tac by telling Deputy [redacted] to meet him one property to the east of the location and he was "going to be deploying a Taser." He did not coordinate the call "on the patch" because he had a limited amount of information regarding the radio call and he just wanted to meet with his assisting unit before arriving at the location. Deputy Alatorre did not request a sergeant to meet with him near the location because he assumed a

sergeant would respond, as they normally assigned themselves to emergency radio calls. He did not consider the need to ask for more deputies to assist him at that time.

Upon arrival near the location, Deputy Alatorre directed Deputy Lugo to take the Taser and be ready to use it when directed. He also directed Deputy [redacted] to handle any radio traffic on the main dispatch frequency while he would handle L-Tac radio traffic. He told Deputy [redacted] he would be the designated shooter, should deadly force become necessary. Deputy Alatorre contacted the ELA desk via L-Tac and asked the dispatcher to have the informant, Witness [redacted] step out of the house. At that time, he learned the house was a [redacted] and the location was to the rear.

The deputies began approaching the location on foot. Deputy Alatorre saw Witness [redacted] at the threshold of the door of the location. Witness [redacted] stepped toward the deputies, but stopped. Deputy Alatorre motioned to Witness [redacted] to approach him and asked her where her [redacted] was. Witness [redacted] replied, "He's inside" and then she went back in the house. Deputies Alatorre and [redacted] approached the threshold of the door because Deputy Alatorre thought the suspect, who was supposedly inside the residence with a knife, might be a threat to Witness [redacted] Also, because of information included in the radio call, he thought children were inside the location and the suspect might be a threat to them as well.

Deputy Alatorre saw Suspect Palencia-Cruz inside the location. The area near the threshold was very narrow and there was only space for Deputies Alatorre and [redacted] Deputy Alatorre noted there was a railing on the landing near the door, which would block his path of retreat, but the door on the landing was the only entrance to the residence. There was no cover or concealment in the area. Based upon where Deputy Lugo was standing, Deputy Alatorre could tell he had no visual contact with Suspect Palencia-Cruz and he never had any verbal interaction with him.

Deputy Alatorre took the Taser, which was still in the holster, from Deputy Lugo, using his left hand. He never pointed the Taser at Suspect Palencia-Cruz, but the suspect became agitated upon seeing the Taser. Deputy Alatorre thought Suspect Palencia-Cruz was trying to get the deputies to come into the house. The deputies did not enter the house at that time and also did not want to give up their position. Suspect Palencia-Cruz shouted something in Spanish and Deputy [redacted] also shouted some commands in Spanish. Throughout the entirety of the incident, Suspect Palencia-Cruz spoke only in Spanish and Deputy Alatorre could not understand what he was saying. Suspect Palencia-Cruz then threw a knife at Deputy Alatorre. He moved his head out of the flight path of the knife to avoid being struck. Deputy Alatorre could not retreat because a railing behind him was blocking his path.

After the knife was thrown at him, Deputy Alatorre told Deputy Lugo to summon a sergeant and more assisting deputies because he knew force was going to be used, either deadly or less lethal. Suspect Palencia-Cruz then went to the kitchen and armed himself with another knife. Suspect Palencia-Cruz held the knife behind his back. Deputy Alatorre did not consider using Oleoresin Capsicum (OC) spray because he thought it would only agitate him more and perhaps cause him to charge at him or throw the second knife.

Suspect Palencia-Cruz brought both of his hands forward while holding the knife in his right hand and charged at Deputy Alatorre. Deputy Alatorre could not use a Taser at that point because he had given it back to Deputy Lugo. Deputy Alatorre held his Beretta with both hands and fired several rounds very quickly at Suspect Palencia-Cruz' mid-torso area. He did not know at the time how many rounds he fired, but later was told he had fired three rounds. He did not know if he or Deputy [redacted] fired first.

At that time, Deputy [redacted] was standing directly alongside Deputy Alatorre, to his left. Deputy Alatorre believed there was nothing he could have done to avoid shooting Suspect Palencia-Cruz. Suspect Palencia-Cruz fell to the ground still holding the knife in his left hand, but that hand was underneath a couch. Deputy Alatorre thought Suspect Palencia-Cruz was still armed with the knife and could possibly be reaching for another object.

Deputy Alatorre heard Deputy [redacted] use his radio to summon paramedics for Suspect Palencia-Cruz. It seemed to Deputy Alatorre the paramedics arrived within seconds. Sergeant Bojorquez also arrived at the location within seconds of the shooting. Sergeant Bojorquez immediately escorted Deputies Alatorre and [redacted] out of the residence and told them to sit in a Chevrolet Tahoe. Sergeant MacDonald then drove them to ELA Station, where he sat in the briefing room with Deputies [redacted] and Lugo, with another sergeant watching them. He only spoke to Homicide detectives about the shooting.

Deputy Alatorre said Witness [redacted] never took a spatula or knife away from Suspect Palencia-Cruz and tossed it on the floor.

Deputy Alatorre had a Beretta manufactured, extended 17-round magazine in his Beretta on the night of the shooting, although he did not have authorization to carry it. Deputy Alatorre said he qualified at a range with his Beretta in patrol school in August 2013, but had not qualified between that time and February of 2015. He was aware of the policy requiring him to qualify at a range in the months of January, May, and September, but did not qualify because he was on training and then "just missed the dates."

IAB Note: The Weapons Qualification System indicated Deputy Alatorre last qualified at a Sheriff's Department range on January 30, 2013 [EXHIBIT P].

INVOLVED EMPLOYEE DEPUTY [redacted]

On April 7, 2015, IAB Sergeants Brian Godwin and Chad Smeltzer interviewed Deputy [redacted] at the IAB offices. Representing Deputy [redacted] during the interview was Attorney Maureen Okwuosa from the law firm of Green & Shinee. The following is a summary of the interview:

On April 25, 2014, Deputy [redacted] was working East Los Angeles Station patrol unit [redacted] on the PM overlap shift. His responsibility was to patrol the City of Maywood between the hours of [redacted] and [redacted] Deputy [redacted] did not recall if he had a Taser that night and he had no less lethal weapons in his patrol vehicle.

> **IAB Note: According to [redacted] Deputy Daily Worksheet [EXHIBIT Q], he had a Taser that night (listed under "SPEC EQP" as "TSR131"). Also, a photograph taken after the shooting showed Deputy [redacted] had a Taser in a holster on his Sam Browne belt [EXHIBIT R].**

Deputy [redacted] was assigned to be the assisting unit on an emergency radio call of a man threatening to hurt himself with a knife at a home at [redacted]. Other family members were at the location. Deputy Alatorre and his ride-along, Deputy Lugo, were also assigned to the call. Deputy [redacted] drove Code 3 to the location. Deputy [redacted] had never been to the location and did not know the occupants.

Deputy [redacted] had handled radio calls similar to the indicated call in the past. In his experience, he handled the situation by talking to the subject, letting him know he was there to help him, and he was not there to hurt him. In his experience, that strategy was successful and the subject normally complied with his directions.

While responding to the location, Deputy [redacted] heard Deputy Alatorre coordinating the radio call. The plan was to go to the location, meet up with the other two deputies, and then approach the location together. Deputy [redacted] did not know at the time if Sergeant Bojorquez was assigned to the call. He did not consider the need to request a sergeant or any other deputies to assist with the call.

Deputy [redacted] saw a woman, Witness [redacted], standing in front of the residence at the location. He asked her if she had called for help. She responded by saying something unintelligible to Deputy [redacted] She waved at him, and then walked inside the residence.

Deputy [redacted] heard Deputy Alatorre tell Deputy Lugo to carry a Taser in case it was needed. Deputies [redacted] and Alatorre formulated the tactical plan of

designating Deputy Lugo to be the less lethal person, Deputy [redacted] would stay on the main radio frequency, and Deputy Alatorre would stay on L-Tac. Deputy [redacted] did not consider what cover or concealment was available in the area before approaching the residence. At some point, he realized that a railing was blocking his retreat path, but Deputy [redacted] decided to try to convince Suspect Palencia-Cruz they were there to help him and to make him feel safe. At first, Suspect Palencia-Cruz said something in English, but Deputy [redacted] could not remember what he said. The rest of the incident involved only Spanish.

Upon seeing Suspect Palencia-Cruz in the residence, Deputy [redacted] told him in Spanish, "Drop the knife" and also that they were there to help him and they were not going to hurt anyone. Suspect Palencia-Cruz said he was going to "shove the knife up his ass," referring to Deputy Alatorre. Deputy [redacted] did not consider using a Taser or other less lethal options at the time because the events were unfolding too quickly. He did not hear Deputy Alatorre ask Deputy Lugo for the Taser.

After Suspect Palencia-Cruz threw the knife at Deputy [redacted] approximately 30 seconds to a minute elapsed before the suspect armed himself with a second knife. After arming himself with the second knife, Suspect Palencia-Cruz held it behind his back with his right hand, and as he walked out of the kitchen, he pulled the knife out. As Suspect Palencia-Cruz charged at them with the knife, Deputies [redacted] and Alatorre fired at him simultaneously with their handguns. Deputy [redacted] acquired a sight picture and fired at Suspect Palencia-Cruz' upper torso. Deputy [redacted] fired his gun several times quickly with both hands, while standing directly to the left of Deputy Alatorre. He then stopped firing to re-assess the situation. Suspect Palencia-Cruz fell over backwards. There was nothing Deputy [redacted] could have done to avoid the shooting.

Deputy [redacted] estimated Sergeant Bojorquez arrived at the location perhaps in under a minute. He guessed paramedics arrived within three minutes of the shooting. Deputy [redacted] went to a room and picked up Suspect Palencia-Cruz' daughter and handed her over to Witness [redacted] Deputies [redacted] and Alatorre were taken to East Los Angeles Station by a sergeant. He waited at the station with Deputies Alatorre and Lugo, with Sergeant Bojorquez watching them, until Homicide detectives interviewed him. He did not speak to anyone about the incident before talking to Homicide detectives.

Deputy [redacted] stated Witness [redacted] did not take a knife or spatula away from Suspect Palencia-Cruz and throw it on the floor during the incident.

Deputy [redacted] had last qualified before the shooting, at a Department range in the summer of 2013. He did not qualify with his weapon as required by policy because he was on training for part of that time, was preoccupied, and did not take it upon himself to find a range.

IAB Note: The Weapons Qualification System indicated Deputy [redacted] did not [redacted] at a Department range between [redacted] [EXHIBIT S].

WITNESS DEPUTY MICHAEL LUGO

On April 7, 2015, IAB Sergeants Brian Godwin and Chad Smeltzer interviewed Deputy Lugo at the IAB offices. Representing Deputy Lugo during the interview was Attorney Maureen Okwuosa from the law firm of Green & Shinee. The following is a summary of the interview:

On April 25, 2014, Deputy Lugo worked the PM Shift at the Inmate Reception Center (IRC) **[EXHIBIT T]**. He was scheduled to work until 0000 hours, but had a ride-along scheduled to start at 2200 hours at East Los Angeles Station. Senior Deputy Rueff allowed him to leave IRC at 2130 hours so he could arrive at East Los Angeles Station in time to attend briefing. He had prior, signed approval from East Los Angeles Station Captain James Wolak to participate in uniformed ride-alongs at East Los Angeles Station **[EXHIBIT U]**.

Deputy Lugo arrived at East Los Angeles station and attended the 2200 hour briefing. He saw he was scheduled to ride-along with Deputy Alatorre. He had never participated in a ride-along with Deputy Alatorre before, but had gone on eight or nine ride-alongs at East Los Angeles Station previously. Deputy Lugo submitted an overtime slip for saved overtime for the hours he worked at East Los Angeles Station that night **[EXHIBIT V]**.

Deputy Alatorre received the handle on an emergency radio call regarding a suicidal male who had a knife. Deputy [redacted] was assigned to assist with the call. Deputy Lugo did not know if Sergeant Bojorquez was also assigned to the call. Deputy Alatorre drove to the location of the call, and took one or two minutes to travel to the location. Deputy Alatorre may have said, via radio, a Taser was going to be deployed. Immediately upon arrival, Deputy Alatorre told Deputy Lugo, "Grab the Taser." Deputy Lugo assumed he would be using the Taser if he had to do so. He got the Taser, but it was still in the holster.

Deputy Lugo could not remember what Deputy Alatorre told Deputy [redacted] and could not remember if a tactical plan had been developed. A female, Witness [redacted] was standing at the door of the residence with a telephone in her hand. Deputy Alatorre or [redacted] or both called out to her to walk toward them. Witness [redacted] did not walk toward the deputies, and went back in the residence. Deputy Lugo said he had "tunnel vision" at that time and did not notice much about his surroundings.

Deputies Alatorre and [redacted] each gave Suspect Palencia-Cruz orders to drop the knife. Either Deputy Alatorre or Deputy [redacted] told Deputy Lugo to get on

the radio and ask for a sergeant to respond. As Deputy Lugo followed that direction, one of the deputies asked him to get other units to assist as well. At the time of the shooting, Deputy Lugo did not notice who fired first, Deputy Alatorre or Deputy [redacted]

After the shooting, Deputy Lugo entered the residence and saw Suspect Palencia-Cruz laying on the floor. He could not remember if the suspect was moving at the time. He did not hear the suspect say anything after he was shot. He estimated Sergeant Bojorquez arrived a couple of minutes after the shooting. Deputy Lugo was transported to East Los Angeles Station by a deputy. He then sat in the briefing room with Sergeant MacDonald. He did not talk to anybody about the case before talking to the Homicide detectives.

WITNESS SERGEANT RICHARD BOJORQUEZ

On April 6, 2015, Sergeant Bojorquez was interviewed by IAB Sergeants Brian Godwin and Eric Eitner. The interview was conducted at the IAB office. Representing Sergeant Bojorquez during the interview was Senior Labor Representative Venise Wallace from the Los Angeles County Professional Peace Officers Association. The following is a summary of the interview:

On April 25, 2014, Sergeant Bojorquez was assigned to Unit 21S at East Los Angeles Station on the EM Shift. As Unit 21S, he was responsible for supervising patrol deputies in the cities of Maywood and Cudahy. His shift started at 2100 hours, but he could not remember if he conducted briefing for the EM Shift deputies. He did not remember Deputy Lugo being on a ride-along. He did not notice Deputy Alatorre had an extended magazine in his Beretta. Sergeant Bojorquez had a stunbag shotgun, a pepper ball gun, and an Arwen gun in his patrol vehicle.

An attempted suicide occurring at [redacted] was dispatched as a radio call. Sergeant Bojorquez assigned himself to the radio call, via MDC. He was delayed in assigning himself to the call because he had been using the restroom at the Cudahy or Maywood sub-station. In hindsight, Sergeant Bojorquez said he could have had the other East Los Angeles Station sergeant respond to the call because of his delay. He stated normally a sergeant is automatically assigned to emergency radio calls and the calls are normally coordinated on the "patch." He did not remember if it was an emergency radio call or not, but he typically assigned himself to radio calls of that nature.

Sergeant Bojorquez heard deputies talking about the radio call on L-Tac. He heard one of the deputies say a Taser was being deployed. He did not remember hearing any other coordination of the call other than deputies talking to the East Los Angeles Station desk about the location of the residence in the call. He heard both deputies assigned to the call had arrived at the scene. Sergeant Bojorquez opined it was possible the deputies did not coordinate the

call on the patch because they were in such close proximity to the call when it was dispatched.

Sergeant Bojorquez estimated it was approximately two minutes after the call was dispatched that he heard the deputies request he respond to the location; he was two blocks away. He immediately responded Code 3. As he drove down the street, 20 or 30 seconds after the deputy's request, he was approximately one and a half blocks away from the location, when he thought he heard two quick gunshots. He then heard a deputy broadcasting via radio there had been a deputy involved shooting.

Sergeant Bojorquez arrived at the location and saw two radio cars parked approximately one house away from the location, to the west. He saw two people standing in the front yard of the house near the location. He asked them if anything was going on, they replied, "No." Sergeant Bojorquez saw two males on the front porch of the residence in front of the location. They told him, "I think something happened back there."

When Sergeant Bojorquez arrived at the rear residence, he saw Suspect Palencia-Cruz laying on his back. He believed Suspect Palencia-Cruz had his left hand under a couch and was trying to lift himself up with his right hand. The suspect was breathing and moving about. Sergeant Bojorquez considered rendering first aid to the suspect, but the location was not clear yet, paramedics were standing by, and he still had to deal with Witness [redacted] and the unknown intangibles. It took him less than a minute to clear the location. Then paramedics arrived and treated the suspect.

Sergeant Bojorquez did not talk to Suspect Palencia-Cruz, nor did the suspect say anything. Sergeant Bojorquez did not talk to Witness [redacted] about the incident, nor did she say anything about the incident. He did not video record anything at the scene and did not debrief any deputy afterwards. After the paramedics pronounced Suspect Palencia-Cruz deceased, Sergeant Bojorquez had Sergeant MacDonald transport the deputies back to East Los Angeles Station. Sergeant Bojorquez believed he told the deputies not to discuss the incident. No item at the scene was moved.

ADDITIONAL INFORMATION

A compact disc containing crime scene, autopsy, and other miscellaneous photographs was included with the case **[EXHIBIT W]**.